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NOTICE OF ALLOWANCE AND FEE(S) DUE

70813 7590 06/22/2010

GOODWIN PROCTER LLP
901 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20001

EXAMINER

ORTIZ CRIADO, JORGE L.

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 06/22/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/479,374

06/07/1995

JOHN C. HARVEY

5634.148

8137

TITLE OF INVENTION: SIGNAL PROCESSING APPARATUS AND METHODS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	09/22/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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70813 7590 06/22/2010

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901 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20001**

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(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/479,374	06/07/1995	JOHN C. HARVEY	5634-148	8137

TITLE OF INVENTION: SIGNAL PROCESSING APPARATUS AND METHODS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	09/22/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
ORTIZ CRIADO, JORGE L	2627	725-139000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/122; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
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4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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EXAMINER

ORTIZ CRIADO, JORGE L.

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 06/22/2010

Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b) (application filed prior to June 8, 1995)

This patent application was filed prior to June 8, 1995, thus no Patent Term Extension or Adjustment applies.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

08/479,374

Examiner

JORGE L. ORTIZ CRIADO

Applicant(s)

HARVEY ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 03/06/2003 and interview on 03/16/2010.
2. ☒ The allowed claim(s) is/are 2, 4-9, 14-20, 24-25, 27-33 and 35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other PTO-90C.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
08479374	6/7/1995	HARVEY ET AL.	5634.148

GOODWIN PROCTER LLP
901 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20001

EXAMINER

JORGE L. ORTIZ CRIADO

ART UNIT PAPER

2627

20100325

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Several references listed on the attached 1449s have no publication date available.

/Jorge L. Ortiz-Criado/
Primary Examiner, Art Unit 2627

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carl L. Benson on 02/16/2010 and 03/26/2010.

The application has been amended as follows:

In the claims:

2. A method of generating a television display at a receiver station, said receiver station comprising a television monitor for displaying television programming and a processor for generating and communicating a video image to said television monitor, said method comprising the steps of:

receiving a television signal, said television signal including digital data;
detecting said digital data and passing said detected digital data to said processor;
storing at a memory operatively connected to said processor a computer program included in a first portion of said detected and passed digital data, wherein said computer program includes a program instruction set;

generating and communicating said video image to said television monitor in response to ~~a first portion of said detected and passed digital data~~ and based on said stored program instruction set;

inputting a clear-and-continue signal to said processor in response to a second portion of said detected and passed digital data; and

controlling said processor based on said clear-and-continue signal to determine a particular clear-and-continue address of instructions of said program instruction set, to jump to said address, and to execute clear-and-continue instructions at said address, said step of controlling comprising the steps of: (a) clearing wherein under control of said clear-and-continue instructions said processor clears at least a portion of an output memory; (b) jumping to a predetermined instruction; and (c) generating generates and communicates video image information to said television monitor based on said predetermined instruction clear-and-continue instructions.

3. Claim 3 has been cancelled.

6. A method of generating a television display at at least one of a plurality of receiver stations, each of said plurality of receiver stations having a television monitor for displaying television programming and a processor for generating and communicating a video image to said television monitor, comprising the steps of:

(a) receiving a television signal including digital data including a computer program having a program instruction set;

(b) receiving a clear-and-continue signal;

(b) (c) receiving a control signal which operates at a transmitter station to communicate said clear-and-continue signal to a transmitter;

(d) transmitting said television signal to said at least one of a plurality of receiver stations, said program instruction set effective to generate and communicate said television display to said television monitor at said at least one of a plurality of receiver stations; and

(e) (c) transmitting said clear-and-continue signal, said clear-and-continue signal effective at said at least one of a plurality of receiver stations to control said processor to clear determine a particular clear-and-continue address of instructions of said program instruction set, to jump to said address, and to execute clear-and-continue instructions at said address, wherein under control of said clear-and-continue instructions said processor clears at least a portion of an output memory, jump to a predetermined instruction, and generate generates and communicates

video image information to said television monitor of said at least one of a plurality of receiver stations based on said ~~predetermined instruction~~ clear-and-continue instructions.

7. A method of generating a television display at at least one of a plurality of receiver stations, each of said plurality of receiver stations having a television monitor for displaying television programming and a processor for generating and communicating a video image to said television monitor, comprising the steps of:

(a) receiving a television signal including digital data including a computer program having a program instruction set;

(b) receiving and storing a clear-and-continue signal;

(c) causing said television signal to be communicated to a transmitter, thereby to transmit said television signal to said at least one of a plurality of receiver stations, said program instruction set effective to generate and communicate said television display to said television monitor at said at least one of a plurality of receiver stations; and

(b) (d) causing said clear-and-continue signal to be communicated to a transmitter at a specific time, ~~thereby to and~~ transmit said clear-and-continue signal, said clear-and-continue signal effective at said at least one of a plurality of receiver stations to control said processor to clear determine a particular clear-and-continue address of instructions of said program instruction set, to jump to said address, and to execute clear-and-continue instructions at said address, wherein under control of said clear-and-continue instructions said processor clears at least a portion of an output memory, jump to a predetermined instruction, and generate generates and communicates video image information of said television display to said television monitor of said at least one of a plurality of receiver stations based on said ~~predetermined instruction~~ clear-and-continue instructions.

8. A method of generating a television display in a receiver station, said receiver station including at least one processor for generating a television video image and a television monitor

for displaying transmitted television programming and said television video image, said method comprising the steps of:

receiving a broadcast or cablecast transmission including said transmitted television programming and an information transmission, said information transmission further including ~~at least one embedded signal~~ a program instruction set;

detecting said information transmission in said broadcast or cablecast transmission;

passing said detected information transmission to said at least one processor;

causing said processor to execute said program instruction set;

receiving a clear-and-continue signal from said broadcast or cablecast information transmission;

processing said detected information transmission, in response to said at least one embedded signal, to generate said television video image; and

causing said processor, in response to an instruct-to-clear signal, to clear said generated television video image

causing said at least one processor, in response to said clear-and-continue signal, to interrupt execution of said program instruction set, to store information regarding resumption of said program instruction set, and to jump to and execute clear-and-continue instructions in said program instruction set, said clear-and-continue instructions causing said at least one processor to clear a stored video image, to generate said television video image, to store said generated television image and to resume execution of said program instruction set in accordance with said stored information; and

displaying said generated television image with said transmitted television programming.

9. The method of claim 8, wherein ~~the step of said clear-and-continue instructions~~ causing said processor to clear ~~said generated television~~ a stored video image further ~~includes the step of setting~~ cause said processor to set said generated television video image to a specific color.

10. Claim 10 has been cancelled.

11. Claim 11 has been cancelled.

12. Claim 12 has been cancelled.

13. Claim 13 has been cancelled.

20. The method of claim 14, wherein a controller controls said at least one processor to perform at least one of said steps of generating said balance and synchronizing delivery, said method further comprising the step of communicating said ~~instruct-to-clear signal~~ clear-and-continue instructions from said controller to said at least one processor.

21. Claim 21 has been cancelled.

24. A method of generating a television display in at least one of a plurality of receiver stations, each of said plurality of receiver stations having a processor for generating a television video image and a television monitor for displaying transmitted television programming and said television video image, said method comprising the steps of:

(1) transmitting from a transmitter station a television transmission including said television programming and an information transmission, said information transmission including a program instruction set for execution by said processor at said at least one of a plurality of receiver stations to control display of said transmitted television programming and said television video image;

receiving, in a said transmitter station, ~~an instruct-to-clear~~ a clear-and-continue signal;

(2) receiving, in said transmitter station, a control signal which operates at said transmitter station to communicate said ~~instruct-to-clear~~ clear-and-continue signal to a transmitter; and

(3) transmitting said ~~instruct-to-clear~~ clear-and-continue signal, said ~~instruct-to-clear~~ clear-and-continue signal effective in said at least one of said plurality of receiver stations to cause said processor to interrupt execution of said program instruction set, to store information regarding resumption of said program instruction set, and to jump to and execute clear-and-continue instructions in said program instruction set, said clear-and-continue instructions

effective to cause said processor to clear ~~said television video image~~ or to change said television video image to a specific color a stored video image, to generate said television video image, to store said generated television video image and to resume execution of said program instruction set in accordance with said stored information.

25. The method of claim 24, further comprising the steps of: originating a first instruction specifying a control function to be executed; originating a second instruction specifying a data characteristic selected from the group consisting of structure, length, and format; and organizing said first and second instructions in a sequence, said sequence comprising said ~~instruct-to-clear~~ clear-and-continue signal.

26. Claim 26 has been cancelled.

27. The method of claim 24, further comprising the step of transmitting data to be displayed based on said ~~instruct-to-clear~~ clear-and-continue signal.

28. A method of generating a television display in at least one of a plurality of receiver stations, each of said plurality of receiver stations having a processor for generating a television video image and a television monitor for displaying transmitted television programming and said television video image, said method comprising the steps of:

(1) transmitting from a transmitter station a television transmission including said television programming and an information transmission, said information transmission including a program instruction set for execution by said processor at said at least one of a plurality of receiver stations to control display of said transmitted television programming and said television video image;

receiving, in a said transmitter station, ~~an instruct-to-clear~~ a clear-and-continue signal;

(2) storing, in said transmitter station, said received ~~instruct-to-clear~~ clear-and-continue signal; and

(3) causing said received and stored ~~instruct-to-clear~~ clear-and-continue signal to be communicated to a transmitter at a specific time, thereby to transmit said received and stored ~~instruct-to-clear~~ clear-and-continue signal, said received and stored ~~instruct-to-clear~~ clear-and-continue signal

effective in said at least one of said plurality of receiver stations to cause said processor to interrupt execution of said program instruction set, to store information regarding resumption of said program instruction set, and to jump to and execute clear-and-continue instructions in said program instruction set, said clear-and-continue instructions effective to cause said processor to clear said television video image or to change said television video image to a specific color a stored video image, to generate said television video image, to store said generated television video image and to resume execution of said program instruction set in accordance with said stored information.

29. The method of claim 28, ~~wherein said receiver station is capable of receiving a portion of a broadcast or cablecast transmission,~~ said method further comprising the step of transmitting in said ~~portion at least one of said instruct to clear signal and television transmission~~ data to be stored in memory to be cleared in response to said ~~instruct to clear~~ clear-and-continue signal.

30. The method of claim 29, wherein a portion of said data is transmitted before said ~~instruct to clear~~ clear-and-continue signal is transmitted.

31. A method of generating a television display in a receiver station, said receiver station including ~~at least one~~ a processor for generating a viewer-specific television programming video image and a monitor for displaying said viewer-specific television programming video image, said method comprising the steps of:

receiving, from remote sources, (i) a broadcast or cablecast transmission including transmitted television programming and (ii) ~~a viewer-specific~~ an information transmission including a program instruction set;

passing said ~~detected viewer-specific~~ information transmission and at least a portion of said transmitted television programming to said processor;

storing said passed ~~viewer-specific~~ information transmission;

causing said processor to execute said program instruction set;

receiving a clear-and-continue signal from said broadcast or cablecast information transmission;

causing said processor, in response to ~~an instruct-to-clear~~ said clear-and-continue signal, to interrupt execution of said program instruction set, to store information regarding resumption of said program instruction set, and to jump to and execute clear-and-continue instructions in said program instruction set, said clear-and-continue instructions causing said processor to clear a memory; generating, to generate a viewer-specific television video image for storage at said memory and to resume execution of said program instruction set in accordance with said stored information; and

combining and displaying said viewer-specific television video image and said transmitted television programming ~~to generate said viewer-specific television programming video image~~ in accordance to said stored information.

32. The method of claim 31, wherein said memory comprises video RAM.

33. The method of claim 31, further comprising ~~the a~~ a step of detecting said ~~instruct-to-clear~~ clear-and-continue signal in said broadcast or cablecast transmission.

34. Claim 34 has been cancelled.

35. The method of claim ~~34~~ 31, wherein said broadcast or cablecast transmission includes at least one embedded signal and said generating ~~step~~ occurs in response to said at least one embedded signal.

36. Claim 36 has been cancelled.

Allowable Subject Matter

Claims 2, 4-9, 14-20, 24-25, 27-33 and 35 are allowed.

The various claimed limitations mentioned in the claims are not taught or suggested by the prior art taken either singly or in combination, with emphasize that it is each claim, taken as a

whole, including the interrelationships and interconnections between various claimed elements make them allowable over the prior art of record.

Remarks

A double patenting administrative requirement is not being required by the examiner in the instant application since the examiner has independently conducted a double patenting analysis of the claims in the instant application.

Closing Comments

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JORGE L. ORTIZ CRIADO whose telephone number is (571)272-7624. The examiner can normally be reached on Mon.-Fri 10:00 am- 6:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea L. Wellington can be reached on (571) 272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jorge L Ortiz-Criado/
Primary Examiner, Art Unit 2627